

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

TERRI BROOKS-JOSEPH,

Plaintiff,

v.

CITY OF SEATTLE, *et al.*,

Defendants.

Case No. 2:22-cv-01078-RSL

ORDER DENYING
PLAINTIFF’S MOTION TO
STAY PENDING APPEAL

This matter comes before the Court on plaintiff’s *pro se* “Motion for Stay Pending Appeal” (Dkt. # 69). Having reviewed the motion, the opposition, and the record herein, the Court DISMISSES plaintiff’s motion to stay as moot.

On October 5, 2023, this Court dismissed the case in an order granting defendant’s motion for summary judgment. Dkt. # 62; *see also* Dkt. # 64 (order denying reconsideration). Accordingly, the Court entered judgment in favor of defendants and against plaintiff. Dkt. # 63. On April 26, 2024, plaintiff filed a Notice of Appeal to the Ninth Circuit, and her appeal is still pending. Dkt. # 68. Plaintiff now moves to stay this action pending appeal.

Federal Rule of Appellate Procedure 8(a)(1)(A) allows a party to file for “a stay of the judgment or order of a district court pending appeal.” *See also* Fed. R. Civ. P. 62. The primary purpose of a stay pending appeal is to suspend the enforcement of the Court’s orders to prevent irreparable harm while the appeal is pending. *See e.g., Winter v. Natural Res. Def. Council, Inc.*, 555 U.S. 7, 32 n.5 (2008). Given that the Court’s judgment does not order anything beyond the dismissal of plaintiff’s claims, there is nothing for this Court to stay. In any event, plaintiff’s

1 claims of irreparable harm—*i.e.*, financial and reputational harm—would not be remedied by a
2 stay.

3 For the foregoing reasons, plaintiff’s “Motion for Stay Pending Appeal” (Dkt. # 69) is
4 DENIED as moot.

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6 IT IS SO ORDERED.

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8 DATED this 22nd day of May, 2024.

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12 Robert S. Lasnik

13 United States District Judge
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